


**Hamilton County
Convention Facilities Authority (CFA)
Meeting Minutes**

To: Board Members, Hamilton County Convention Facilities Authority
From: Timothy H. Riordan, Secretary to the Board 
Subject: Meeting #6: January 16, 2004

CFA Members present: Paul Brehm, Nat Comisar, Eric Kearney, Virgil Lovitt, Daniel Meyer, Mark Schutte, Kathryn Wagner

Absent: Larry Grypp, Gwen McFarlin, Derrick Parham, James Sumner

Also present: Tim Riordan, Eric Stuckey, Bill Moller, Roger Friedmann, Mark McKillip, Dale Lewis, Dave D'Avignon, Lea Eriksen, Dennis Schwallie, Rich Dilley

1. Call to Order.

The meeting of the Hamilton County Convention Facilities Authority was called to order by Chairman Dan Meyer at 8:35 a.m.

2. Review of Minutes.

The minutes from the last meeting was reviewed and approved.

3. Update on the Convention Center Expansion and Renovation Project.

Mark McKillip, Project Manager, presented an update on the progress of the design and implementation of the facility. His report (Attachment 1) included progress on the construction document development, construction contract bid and award, other project related achievements, and an indication of future milestones.

4. Agenda Items for CFA Action.

The agreements were presented for CFA approval. Discussion and questions from the CFA board followed. The CFA boardmembers present then unanimously approved the following resolutions:

- Resolution to Approve Cooperative Agreement and Project Service Agreement
- Resolution to Authorize Ground Lease and Facilities Lease
- Resolution to Authorize Bond Indenture/Trust Agreement
- Resolution to Authorize Bond Purchase Agreement

5. Other Business.

FYI: The CFA were provided copies of the Naming Rights Agreements between the City and Cinergy.

6. Next Meeting.

Unless there are any substantive changes to the CFA approved documents, the next business meeting is scheduled to occur sometime in late February or early March. This meeting will be a semi-annual organizational meeting.

Cincinnati Convention Center Expansion and Renovation

Project Status Report For Convention Facilities Authority January 16, 2004

Current Status of the Project:

Construction Document Development

- Construction Document development is the third and final phase of design completion. This phase of design remains on schedule with the first three bid packages, Packages A, B and C, issued for bidding on November 4, December 2 and December 23, 2003 respectively. Bid Package D is scheduled for completion and advertisement for bidding on February 10, 2004.
- The regularly scheduled monthly project team coordination and owner's progress meeting will be conducted January 20 and 21, 2003.

Construction Contract Bid and Award

- Bids were received for the purchase-only procurement of new hot water boilers on November 20, 2003. The bid amount of \$113,975 was \$6,000 below the budget of \$120,000. The contract has been executed and notice to proceed (NTP) issued on January 9, 2004.
- Construction documents were completed for advertisement of Bid Package A on November 4, with bids opened on December 11, 2003. Two of the three trade contracts have been executed and NTP issued on January 9, 2004. The General Conditions Trade Contract bid amount of \$3,169,000 was \$615,939 below the budget of \$3,784,939. The Sitework Trade Contract bid amount of \$1,171,000 was \$478,578 below the budget of \$1,649,578. The budget and the bid amounts both include a 5% contingency for future changes during construction. The demolition trade contract is being rebid and was advertised on January 13, 2004, with bids due February 3, 2004. Dependent upon the results of the rebid no impact to the project schedule is currently anticipated.
- Construction documents were completed for advertisement of Bid Package B on December 2, 2003 with bid opening on January 15, 2004. The combined Bid Package B bids, based upon the unofficial apparent low bidders, were below budget by \$1,445,688. The City is currently reviewing the received bids for determination of the contract awards.

- The first of three bid packages for FF&E, Bid Package 1 was advertised for bids on January 13, 2004 with bids due February 12, 2004. This bid package consists mainly of new chairs and chair dollies, table skirts, turnstiles and a rack storage system.

Other Achievements:

- Selection of the OCIP insurance carrier was finalized within the budget on December 19, 2003. Contractors are currently being enrolled in the OCIP as their contracts are awarded. The Builders Risk Insurance coverage was also placed by the City Risk Management Department.
- The building permit application was submitted on December 22, 2003.
- Small Business Enterprise outreach efforts continue with the final SBE outreach program scheduled on January 21, 2004.
- The project team continues to meet periodically with the GCCVB, Convention Center management and convention event planners to review booked events to assure their accommodation during building renovation.
- The project budget is currently being updated and will be issued later in January 2004 following receipt of the Bid Package B bids. Hard construction costs will be updated to reflect the actual bids received to date. Savings in estimated soft costs were previously reflected and resulted in an increase to the Owner's Project Contingency.

Future Milestones:

- The two remaining bid packages for FF&E are scheduled for advertisement in August 2005 and October 2005. A small bid package for the programmable messaging system will be advertised in late 2005. The attached Bid Package Schedules provide dates and contract breakdown as currently planned.
- Construction remains on schedule to commence in late April 2004.
- Relocation of WCPO TV begins in May of next year with demolition of the building scheduled in June 2004. WCPO's new building at their future location remains on schedule at this time.

RESOLUTION TO APPROVE COOPERATIVE AGREEMENT AND
PROJECT SERVICE AGREEMENT

BY THE BOARD:

WHEREAS, pursuant to Chapter 351 of the Ohio Revised Code, in a resolution adopted by the Board of County Commissioners of Hamilton County, Ohio on May 15, 2002, the Convention Facilities Authority for Hamilton County, Ohio (CFA) was created and exists as a body corporate and politic performing central government functions and is authorized to acquire, purchase, construct, reconstruct, enlarge, furnish, equip, maintain, repair, sell, exchange, lease or rent to others, lease or rent from others, operate, and contract for the operation by others of, certain convention center facilities; and

WHEREAS, the City of Cincinnati, Ohio and the Board of County Commissioners of Hamilton County, Ohio have entered into a Memorandum of Understanding dated September 30, 2002, which sets forth certain understandings and agreements regarding a convention facilities project within Cincinnati, Hamilton County, Ohio; and

WHEREAS, the CFA has confirmed the approval of the Memorandum of Understanding previously entered into between the City of Cincinnati and the Board of County Commissioners of Hamilton County, Ohio pursuant to action of the CFA undertaken on the 28th day of February, 2003; and

WHEREAS, the Memorandum of Understanding contemplates that the City of Cincinnati, Ohio, the Board of County Commissioners of Hamilton County, Ohio and the CFA will enter into additional agreements to carry out the completion of the new convention center facility within Hamilton County, Ohio; and

WHEREAS, the CFA and the City of Cincinnati and Board of County Commissioners of Hamilton County, Ohio desire to enter into a cooperative agreement among themselves to supplement and clarify the memorandum of understanding and setting forth additional understandings and undertakings regarding the convention facilities project and the financing thereof and as an additional part of the project the CFA and the City of Cincinnati desire to enter into an additional agreement which sets forth, among other things, the obligations of the City of Cincinnati with respect to the acquisition, construction, improvement, equipment and furnishing of the project, and the operation and maintenance thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Convention Facilities Authority for Hamilton County, Ohio that the CFA is hereby authorized to enter into a

cooperative agreement by and among the CFA and the City of Cincinnati, Ohio and the Board of County Commissioners of Hamilton County, Ohio pursuant to a "Cooperative Agreement" a copy of which is attached hereto as Exhibit "A" in substantially the same form as the final document to be signed among the parties.

BE IT FURTHER RESOLVED that the CFA is hereby authorized to enter into a "Project Service Agreement" with the City of Cincinnati to provide for the acquisition, construction, improvement, equipment and furnishing of the convention facilities project and the operation and maintenance thereof pursuant to a "Project Service Agreement", a copy of which is attached hereto as Exhibit B in substantially the same form as the agreement to be signed by parties.

BE IT FURTHER RESOLVED that the Chairperson of the CFA is hereby authorized to execute the "Cooperative Agreement" and "Project Service Agreement" when such documents are completed and prepared for signature on behalf of the CFA.

BE IT FURTHER RESOLVED that the Chairperson of the CFA is further authorized to sign any amendments to the Cooperative Agreement and/or Project Service Agreement that are necessary because of clerical errors that may be determined in the final documents after the original signature by the CFA chairperson.

BE IT FURTHER RESOLVED that in the event that the Chairperson of the CFA is not available to sign the original documents, that the original documents may be signed by the Vice-chairperson with the same authority granted in this resolution to the Chairperson of the CFA.

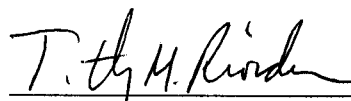
ADOPTED at a regularly adjourned meeting of the Hamilton County Convention Facilities Authority this 16th day of January, 2004.

Mr. Brehm <u>Aye</u>	Mr. Comisar <u>Aye</u>	Mr. Grypp <u>Absent</u>	Mr. Kearney <u>Aye</u>
Mr. Lovitt <u>Aye</u>	Ms. McFarlin <u>Absent</u>	Mr. Meyer <u>Aye</u>	Mr. Parham <u>Absent</u>
Mr. Schutte <u>Aye</u>	Mr. Sumner <u>Absent</u>	Ms. Wagner <u>Aye</u>	

CERTIFICATE OF SECRETARY

IT IS HEREBY CERTIFIED that the foregoing is a true and correct copy of a transcript of the resolution adopted by the Board of Directors of the Hamilton County Convention Facilities Authority in session this 16th day of January, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Hamilton County Convention Facilities Authority this 16th day of January, 2004.

A handwritten signature in cursive script, reading "T. H. Riordan", written in black ink.

Timothy H. Riordan, Secretary
Hamilton County Convention
Facilities Authority